

## **REMARKS**

Claims 1-24 are pending in the application. Claims 1, 5-7, 10, 12, 13, 17-19, 22 and 24 are amended herein. Favorable reconsideration of the application, as amended, is respectfully requested.

### ***I. TELEPHONE INTERVIEW***

If possible, the applicant would still like to conduct a telephone interview with the Examiner prior to the Examiner further acting on the present application. The applicant's undersigned representative contacted the Examiner last week but have not yet heard back from the Examiner.

### ***II. ALLOWABLE SUBJECT MATTER***

Applicant again acknowledges with appreciation the noted allowability of claims 5-7 and 17-19 subject to being amended to overcome the indefiniteness rejection.

### ***III. REJECTION OF CLAIMS 5-7 AND 17-19 UNDER 35 USC §112, 2<sup>nd</sup> ¶***

Claims 5-7 and 17-19 stand rejected under 35 USC §112, second paragraph, as being indefinite. Applicant respectfully withdrawal of the rejection for at least the following reasons.

The Examiner asserts that ' $\alpha(v)$ ' can be broad, and the equation  $P_m$  should be written to  $P_m(v)$  accordingly since  $P_m$  depends on the variable " $v$ ". In response to the Examiner's concerns, applicant has amended claims 5-7 and 17-19 to recite  $P_m(v)$ ,  $P_p(v)$ ,  $P_e(v)$  and  $P_{ps}(v)$ ,  $P_{pl}(v)$ , respectively. In other words, each of the power levels in the equation are now expressly indicated to be functions of the linear velocity ( $v$ ).

Thus, the amendments clarify that the equations recited in the claims are functions depending on the linear velocity ( $v$ ). As previously pointed out by the applicant, it is not relevant that the functions  $\alpha(v)$  or  $\beta(v)$  may be a function of some other un-specified variables, so long as  $\alpha(v)$  and  $\beta(v)$  are functions of the linear velocity ( $v$ ) at least.

Accordingly, applicants respectfully submit that the claims are definite and the rejection should be withdrawn.

**IV. REJECTION OF CLAIMS 1-4, 8-16 AND 20-24 UNDER 35 USC §102(b)**

Claims 1-4, 8-16 and 20-24 remain rejected under 35 USC §102(b) based on *Toda et al.* Applicant respectfully requests withdrawal of this rejection for at least the following reasons.

Beginning on page 11 of the Office Action, the Examiner refers to Fig. 3(b) of *Toda et al.* as illustrating the recited power level of a first pulse being determined in accordance with the linear velocity and the power level of a second pulse. However, the Examiner's explanation in response to applicant's arguments appear to focus simply on any single pulse in the pulse train being set to a specific power level such as  $P_w$ ,  $P_{as}$  or  $P_r$ . It is not apparent to applicant how the Examiner might consider such aspect of any single pulse in the pulse train being set to a specific power level to represent that of a first pulse having power level determined in accordance with the power level of the second pulse as recited more specifically in claim 5, for example.

Applicant can only think that perhaps the Examiner is interpreting claim 1 to recite step (a) as including a step of determining a power level of the first pulse in accordance with the linear velocity, and (then) determining a power level of the second pulse. This is in contrast to ordinary intended meaning that the power level of the first pulse is determined depending on both the linear velocity and power level of the second pulse.

In order to clarify such distinction, applicants have amended independent claims 1, 10, 12, 13, 22 and 24 to emphasize that the power level of the first pulse is determined depending on both the linear velocity and a power level of the second pulse. As applicant previously pointed out, *Toda et al.* teaches adjusting laser power and edge adjustment by setting pulse lengths. Nowhere in the disclosure of *Toda et al.* does it teach "determining the power level of the first pulse depending on both the linear velocity and a power level of the second pulse" (to generate a pulse train).

For example, in Fig. 3 of *Toda et al.* the pulses with their respective laser power levels are indicated. However, the power level does not depend on linear velocity. The waveforms are respective to time, however this does not imply that the power level depends on linear velocity and a power level of a second pulse.

In the absence of the recited features of claims 1, 13, 22, 24 and the claims which depend therefrom, withdrawal of the rejection is respectfully requested.

## **V. CONCLUSION**

Accordingly, all claims 1-24 are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

/Mark D. Saralino/

Mark D. Saralino  
Reg. No. 34,243

DATE: November 15, 2010

The Keith Building  
1621 Euclid Avenue  
Nineteenth Floor  
Cleveland, Ohio 44115  
(216) 621-1113  
yamap1002amdafterfinalOA081610.doc